# IN THE HIGH COURT OF BOMBAY AT GOA

WRIT PETITION NO. 571 OF 2006

M/S. MAX HOTELS PVT, LTD. ....Petitioner

Versus

THE GENERAL MANAGER, EDC LTD. ....Respondent

Ms. Susan Linhares, Advocate for the petitioner.

Mr. M.S. Sonak, Advocate for the respondent.

Coram:- J. N. PATEL &
N. A. BRITTO, JJ.

Date:- 18th December, 2006

P.C.

1. Heard Ms. Linhares learned Counsel on behalf of the petitioner.

2. Mr. Sonak waives service on behalf of the respondent. Mr. Sonak states that in case the OTS proposal submitted by the petitioner is to be considered, then the petitioner is liable to pay Rs. 58,00,000/-. It is stated on behalf of the Petitioner that a sum of Rs.51,00,000/- will be paid to respondent no.2 on or before 20.12.2006 and for the balance amount of Rs.7,00,000/-, learned Counsel for the petitioner seeks time to deposit in 15 days. The petitioner is granted time to deposit the balance amount of Rs.7,00,000/- within a period of 15 days with the respondent no. 2.

3. Learned Counsel on behalf of the petitioner states that the Demand Draft for Rs.51,00,000/- was got prepared in the name of the Registrar of this Court and therefore the learned Counsel for the petitioner seeks leave to deposit the amount of Rs.51,00,000/- with the respondent no.2 on 20.12.2006. Leave granted.

3. Learned Counsel on behalf of the respondent no.2 submits that the moment the respondent deposit the entire sum of Rs.58,00,000/-, the property of the petitioner will be released. We accept the said statement. In the light of the said statement, nothing survives in the petition, and accordingly the same is hereby disposed of.

J. N. PATEL, J.

N. A. BRITTO, J.

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